



1200 19th Street NW
Suite 500
Washington, DC 20036
www.z-tel.com

February 3, 2003

**Ex Parte Presentation
Via Electronic Transmission**

Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: UNE Triennial Review, CC Docket No. 01-338
Local Competition Rules, CC Docket No. 96-98
Deployment of Advanced Wireline Services, CC Docket No. 98-147

Dear Ms. Dortch,

In this proceeding, the Bell companies have repeatedly stated that there are several “alternative” methods in which CLECs can serve customers without the need for access to unbundled circuit-switching and shared transport. BellSouth in particular has continually noted the supposed ability of network architectures that utilize Voice over Internet Protocol Service, or VoIP, in its arguments that unbundled access to its legacy circuit-switched network should be eliminated.¹

It is therefore important that on Friday, January 31, 2003, it was reported that BellSouth is pulling the plug on its voice-over-IP service. In a letter that describes the pending disconnection of this service, BellSouth noted that it was looking for “a better overall

¹ See, e.g. BellSouth Reply Comments, CC Docket Nos. 01-338, 96-98, and 98-147 (July 17, 2002), Attachment 5, Affidavit of Charles L. Jackson at 17 (noting that VoIP “will supplant the traditional telephone network architecture”); see also Letter from Dee May, Verizon, to Marlene H. Dortch, Secretary, FCC, CC Docket Nos. 01-338, 96-98, and 98-147 (Oct. 23, 2002), UNE Fact Reply (sponsored by BellSouth, SBC, Qwest and Verizon) at 14 (noting that VoIP is “cheaper and more-efficient than the circuit-switching approach used today.”).

solution.” BellSouth Vice President Eric Schwartz is quoted in the attached article as stating that the VoIP service is “definitely a complex service to operate and develop.”²

Z-Tel finds it interesting that while BellSouth and the other ILECs argue strenuously to the Commission that CLECs should turn to VoIP *in lieu* of unbundled circuit-switching, BellSouth will not use that architecture for its own customers because of its complexity. If VoIP were truly a “cheaper and more-efficient” alternative to circuit-switching, then why would BellSouth stop providing service with that technology?

Sincerely,

s/Thomas M. Koutsky
Vice President, Law and Public Policy
Z-Tel Communications, Inc.
1200 19th Street, N.W., Suite 500
Washington, DC 20036
(202) 955-9652

² Attachment. Mr. Schwartz’s comment directly contradicts the statement sponsored by BellSouth in the UNE Fact Reply that VoIP is “cheaper and more-efficient than the circuit-switching approach used today”, *supra* note 1.